



# महाराष्ट्र शासन राजपत्र

## असाधारण भाग एक-कोकण विभागीय पुरवणी

वर्ष १, अंक ११]

सोमवार, एप्रिल ६, २०१५/चैत्र १६, शके १९३७

[पृष्ठे ६, किंमत : रुपये ११.००

असाधारण क्रमांक २८

प्राधिकृत प्रकाशन

### URBAN DEVELOPMENT DEPARTMENT

Mantralaya, Mumbai 400 032, dated 1st April 2015.

### Notice

MAHARASHTRA REGIONAL AND TOWN PLANNING ACT, 1966.

No. TPB. 4313/145 /CR-119/2013/UD-11.—Whereas, the State Government has sanctioned the Development Plans (hereinafter referred to as “the said Development Plan”) and the Development Control Regulations (hereinafter referred to as “the said Regulations”) for the Municipal Corporations in the State of Maharashtra under the provisions of the Maharashtra Regional and Town Planning Act, 1966 (Mah. XXXVII of 1966) (hereinafter referred to as “the said Act”) which are in force in the limits of the respective Municipal Corporations;

And whereas, the Govt. in Home Department *vide* G.R. No. RSA-609/CR-432/ Pol-7, dated 17<sup>th</sup> November, 2009 has framed policy for creating staff quarters for Police personnel including Police Officers, with additional F.S.I.;

And whereas, the Govt. in the Urban Development Department, in view of the above policy, is of the opinion that in the public interest, it is desirable to grant additional F.S.I. for creating staff quarters for not only Police personnel but also other employees of the Govt. and its statutory bodies ;

And whereas, the Govt. in the Urban Development Department has taken a decision to incorporate new Regulation in respect of staff quarters for employees of the Govt. and its statutory bodies in the Development Control Regulation of Greater Mumbai, 1991 and also published a notice of even no. dated 3<sup>rd</sup> January 2015 under Section 37(1AA) of the said Act to invite suggestions/ objections from the general public;

And whereas, the Govt. in the Urban Development Department has also taken a decision to incorporate new Regulation in respect of staff quarters for employees of the Govt. and its statutory bodies in the Development Control Regulations of the other Municipal Corporations in the State

and accordingly, it is necessary to urgently carry out suitable modification to the existing Development Control Regulations of Municipal Corporations, as specifically described in the Annexure appended hereto (hereinafter referred to as “the proposed modification”).

Now, therefore, the proposed modification, as mentioned in the Annexure appended hereto, which the State Government proposes to make, in exercise of the powers conferred by sub-section (1AA) of Section 37 of the said Act; and of all other powers enabling it in this behalf, is hereby published as required by clause (a) of sub-Section (1AA) of Section 37, for information of all persons likely to be affected thereby; and notice is hereby given that the said proposed modification shall be taken into consideration by the Government of Maharashtra after the expiry of one month from the date of publication of this Notice in the *Maharashtra Government Gazette*;

Any objections/ suggestions in respect of the proposed modification may be forwarded, before the expiry of one month from the date of publication of this Notice in the *Maharashtra Government Gazette*, to the following Joint Director of Town Planning of concerned Division, wherein Municipal Corporations are located.

| Sr. No.<br>(1) | Division<br>(2) | Name of the Municipal Corporation<br>(3)  | Name and Address of the Officer Appointed<br>(4)  |
|----------------|-----------------|---|---|
| 1              | Konkan          | 1) Navi Mumbai<br>2) Thane<br>3) Kalyan~Dombivali<br>4) Bhivandi~Nizampur<br>5) Mira-Bhainder<br>6) Ulhansnagar<br>7) Vasai-Virar | Joint Director of Town Planning,<br>Konkan Division, Konkan Bhavan,<br>3rd floor, CBD, Belapur,<br>Navi Mumbai 400 614.   |
| 2              | Pune            | 1) Pune<br>2) Pimpri-Chinchavad<br>3) Sangali-Miraj-Kupwad<br>4) Kolhapur<br>5) Solapur   | Joint Director of Town Planning,<br>Pune Division,<br>S.No.74/2, Sahkat Nagar,<br>Above Bank of Maharashtra,<br>Pune 411 009.   |
| 3              | Nashik          | 1) Nashik<br>2) Malegaon<br>3) Jalgaon<br>4) Ahmadnagar<br>5) Dhule   | Joint Director of Town Planning,<br>Nashik Division,<br>Griha Nirman Bhavan,<br>1 <sup>st</sup> Floor, R. G. Gadkari Chowk,<br>Old Mumabi-Agra Road,<br>Nashik 422 022.     |
| 4              | Aurangabad      | 1) Aurangabad<br>2) Nanded-Waghala<br>3) Parbhani<br>4) Latur   | Joint Director of Town Planning,<br>Aurangabad Division, Griha Nirman<br>Building, 2 <sup>nd</sup> Floor,<br>Near Prince Travel Hotel,<br>Station Road, Aurangabad 431 001. |
| 5              | Amravati        | 1) Amravati<br>2) Akola   | Joint Director of Town Planning,<br>Amravati Division, “Nilgiri”<br>Dr. Agrawal Building, Congress Nagar<br>Road, Amravati.   |
| 6              | Nagpur          | 1) Nagpur<br>2) Chandrapur  | Joint Director of Town Planning,<br>Nagpur Division, Old Sachivalaya<br>Building, Room No. 108/109, 1st Floor,<br>Civil Lines, Nagpur 440 001.                              |

Any objections or suggestions, which may be received by the Joint Director of Town Planning of the concerned Division within the said period shall be dealt with in accordance with the provisions of the said sub-section (1AA) of Section 37;

This Notice shall also be available on the Govt. of Maharashtra website : *www. maharashtra. gov. in*

### ANNEXURE

(Accompaniment to Notice No. TPB. 4313/145/CR-119/2013/UD-11, dated 1st April 2015.)

The following provisions regarding Development/Redevelopment for construction of staff quarters of the State Government or its statutory bodies or Municipal Corporations in the State are to be incorporated in the Development Control Regulations of Municipal Corporations (excluding Municipal Corporation of Greater Mumbai)

### **Regulation for staff quarters of the State Government or its statutory bodies or Municipal Corporations on lands belonging to such Public Authorities.**

(1) The Commissioner may permit the Floor Space Indices specified for basic zonal FSI to be exceeded as per following table on the gross plot area solely for the project of construction of staff quarters (hereinafter referred to as “ staff quarters project” ) for the employees of the Government, or its statutory bodies or the Municipal Corporations ( hereinafter collectively referred to as “ User Authority” ), on land belonging to such User Authority, by the Public Works Department of the Government of Maharashtra or MHADA or Maharashtra Police Housing Corporation or Municipal Corporations or any other Public Agency nominated by the Government for this purpose, which would also include any Special Purpose Vehicle, wherein the Government or a fully owned Company of the Government holds at least 51% equity share (hereinafter collectively referred to as “Implementing Public Authority”).

| Class of Municipal Corporation          | Road Width and Plot area  | Proposed Floor Space Index |
|---|---|----------------------------|
| “A” Class Municipal Corporations.       | (1) 18.00 mt. or above Minimum Plot area 4000 sq. mtr. or above | 4.00                       |
|   | (2) 12.00 mt. or above but below 18.00 mt.                      | 3.00                       |
| “B” & “C” Class Municipal Corporations. | (1) 15.00 mt. or above Minimum Plot area 4000 sq. mtr. or above | 3.00                       |
|   | (2) 12.00 mt. or above but below 15.00 mt.                      | 2.50                       |
| “D” Class Municipal Corporations.       | 12.00 mt. or above  | 2.50                       |

(2) For the purpose of calculating the FSI, the entire area of the layout including Development Plan roads and internal roads but excluding the land under the reservation of public amenities shall be considered :

Provided that, there shall be no restriction on the utilization of the FSI permissible under this Regulation except for the restrictions under any law, rule or regulation.

(3) The total permissible FSI under this Regulation shall be utilized for construction of staff quarters for the User Authority, subject to the following :—

(i) The area of staff quarters for various categories of employees shall be as per the norms prescribed by the concerned User Authority and in no case shall the area of Staff Quarters exceed the maximum limit of carpet area as prescribed therein.

(ii) (a) Commissioner may also permit upto 1/3 of the total permissible FSI under this Regulation for construction of free sale area (hereinafter referred to as “free sale component”) to be disposed of by the Implementing Public Authority as provided herein.

The free sale component shall preferably be constructed in a separate block. Sub-division of plots shall be permissible on the basis of equitable distribution of FSI, in case construction of free sale component is permitted by the Commissioner.

(b) If the User Authority requires construction of staff quarters to the extent of full permissible FSI, then the User Authority shall pay full cost of construction to the Implementing Public Authority, in lieu of the free sale component.

(c) The flats constructed under the free sale component shall be first offered to the Central Government its statutory bodies, Central / State PSUs for purchase as staff quarters and if the Central Government or its statutory Bodies or Central / State PSUs do not indicate willingness to purchase the same within the prescribed time limit, such flats shall be sold in open market.

(4) For providing the requisite off-site infrastructure for the increased population, an infrastructure charge at the rate of 7% of the Land Rate as per the Annual Statement of Rates (ASR) of the year of approval of the staff quarters project shall be chargeable for the extra FSI granted to such project, over and above the basic zonal permissible FSI, by the Municipal Corporations for developing necessary off-site infrastructure.

(5) (i) No premium shall be charged which is applicable under Development Control Regulations of Municipal Corporations.

(ii) The provisions of Inclusive Housing, which is applicable for Municipal Corporations having population one million or more as per the latest census shall not be applicable for development under this Regulation.

(6) For any staff quarters project under this Regulation, a Development Agreement shall be executed between the User Authority and the Implementing Public Authority, which, *inter alia*, shall authorize the Implementing Authority to dispose of the flats constructed under the free sale component of the project, wherever applicable.

**Development /Redevelopment for construction of staff quarters of the State Government or its statutory bodies or Municipal Corporations on private lands.**

(1) The Commissioner may permit construction of staff quarters for the employees of the Government or its statutory bodies or the Municipal Corporations (hereinafter referred to as "User Authority") on private plots of lands, having minimum area of 2000 sq.mtr. and abutting a road having minimum width of 12 mt. and grant incentive FSI, as provided herein below, in lieu of the built-up area of staff quarters created and handed over free-of- cost to the User Authority, subject to the following provisions :—

(i) The area of staff quarters for various categories of employees shall be as per the norms prescribed by the concerned User Authority and in no case shall the area of Staff Quarters exceed the maximum limit of carpet area as prescribed therein.

(ii) The 80% Incentive FSI shall be admissible against the FSI required for construction of Staff Quarters.

The incentive FSI given on this account shall be over and above the FSI permissible on such plot under any other provision of the DCR, depending on the type of development envisaged on

such plot. This incentive FSI shall be allowed to be used on the same plot in accordance with the provisions of DCR/DP, within the overall limit of maximum permissible FSI, as given in the Table below :—

| Class of Municipal Corporation         | Road Width  | Proposed Floor Space Index<br>(Including base FSI) |
|--|---|--|
| “A” Class Municipal Corporations       | (1) 18.00 mt. or above<br>Minimum Plot area 4000 sq. mtr.<br>or above | 4.00   |
|  | (2) 12.00 mt. or above but below 18.00 mt.                            | 3.00   |
| “B” & “C” Class Municipal Corporations | (1) 15.00 mt. or above<br>Minimum Plot area 4000 sq.mtr. or above     | 3.00   |
|  | (2) 12.00 mt. or above but below 15.00 mt.                            | 2.50   |
| “D” Class Municipal Corporations       | 12.00 mt. or above  | 2.50   |

(iii) It shall be permissible to use the Basic F.S.I. for the proposals in consonance with DCR/DP.

(iv) For the purpose of calculating the FSI under this Regulation, the entire area of the layout, including Development Plan roads and internal roads but excluding the land under the reservation of public amenities, shall be considered. Sub-division of plots shall be permissible on the basis of equitable distribution of FSI, for construction of free sale component, by utilizing the basic zonal permissible F.S.I. and the Incentive F.S.I. as provided herein :

Provided that, there shall be no restriction on the utilization of the FSI permissible under this Regulation except for the restrictions under any law, rule or regulation.

(v) (a) No premium shall be charged if required under Development Control Regulations of Municipal Corporations.

(b) The provisions of Inclusive Housing , which is applicable for Municipal Corporations having population one million or more as per the latest Census shall not applicable for development under this Regulation.

(vi) For providing the requisite off-site infrastructure for the increased population, an infrastructure charge at the rate of 7% of the Land Rate as per the ASR of the year of approval of the development project shall be chargeable for the extra FSI granted for such project, over and above the basic zonal permissible FSI by the Municipal Corporations for developing necessary off-site infrastructure.

(vii) No development / redevelopment of any vacant plot belonging to a private landholder for constructing staff quarters for a User Authority shall be permitted by the Municipal Commissioner without prior approval of the location and requirement of such Staff Quarters by the Committee mentioned below :—

|       |   |          |
|-------|---|----------|
| (i)   | Municipal Commissioner  | Chairman |
| (ii)  | Police Commissioner   | Member   |
| (iii) | Representative of MHADA   | Member   |
| (iv)  | Executive Engineer, PWD   | Member   |
| (v)   | Representative of the concerned User Authority not below the rank of Regional Head of Dept. | Member   |

By order and in the name of the Governor of Maharashtra,

SANJAY BANAIT,  
Under Secretary to Government.